

PRESIDENT: Any further discussion on the committee amendments? If not, the question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. You're voting on the adoption of the committee amendments. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: The committee amendments are adopted. Senator Abboud.

SENATOR ABBLOUD: Mr. President and colleagues, LB 352 was brought in on behalf of the Department of Motor Vehicles. I don't how many of you remember but last year there was a bill that was numbered LB 352 and that particular bill was a complete rewrite of all the appeals processes for all or most state agencies across...most state agencies. We left the enacting...enactment date of that particular bill, LB 352 of last year, for July of 1989, to see if any state agencies, after we had passed the law, had any problems that occurred after the passage of the rewrite of all administrative rules. We found that only one agency had a problem with the way we had...the way they had agreed to for their particular appeals. And it came...their problem came about as a result of a memorandum from or a request from the Attorney General's Office. They asked if they had to make any additional changes as a result of this law being passed. At the current time, when there is an appeal from the Department of Motor Vehicles, if they revoke a particular license, either for implied consent, not giving...not allowing to have your blood alcohol level tested, or points revocation, or for lack of financial responsibility, lack of insurance, that decision is made by the Department of Motor Vehicles. The next step is an appeal process. At the current time, the only administrative law judge that the Department of Motor Vehicles has deals with the implied consent law. The other areas, such as points revocation or lack of financial responsibility or motor vehicle homicide, which would also result in loss of license, along with a few other ones, that would go...the appeal process would go to the District Court. There is additional cost involved in the process. Their intent was not to include these other areas but only the implied consent law to be under this new statute. And since they found later that passage of this law changed their complete appeal process, they said that they would prefer just to go back to the old process. What this